

### **REMARKS/ARGUMENTS**

The Office Action of July 21, 2009, has been reviewed and these remarks are responsive thereto. Claims 1, 9, and 24 have been amended. Claims 5 and 12 were previously canceled. Claims 35 and 36 are new. No new matter has been added. Claims 1-4, 6-11, and 13-36 are pending upon entry of the present paper. Reconsideration and allowance of the instant application are respectfully requested.

#### ***Rejections Under § 35 U.S.C. 103***

Claims 1, 4, 6-11, 13-19, and 22-33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Internet Archive's CheckFree Website:

<http://web.archive.org/web/20000510083954/www.CheckFree.com>, hereinafter *CheckFree*, in view of "Naming and Synchronization in a Decentralized Computer System" Massachusetts Institute of Technology, 1978, to David Reed ("*Reed*"), and further in view of U.S. pat. no. 7,181,623 to Golubchik et al. ("*Golubchik*"). Claims 2, 3, 20, 21, and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *CheckFree*, in view of *Reed* and *Golubchik*, and further in view of Official Notice. These rejections are respectfully traversed.

Amended claim 1 recites:

"... a file sweeper that is operable to sweep files received at the server to a plurality of other locations for application of the reconciliation software package at the plurality of other locations."

Illustrative, non-limiting written description support is provided in the filed specification when read as a whole, and for example, at pages 16-18 (paragraphs [0050]-[0053]) and Figure 5.

The Office Action at page 6 contends that *CheckFree* generally teaches or at least suggests (automatically) sweeping files in at least the paragraph beginning with "RECON SOLVER automatically guides ..." on page 12. The Office Action further asserts that technologies such as routers and proxy servers that automatically sweep or forward received data files to predetermined locations are old and well known in the art of computer networking and scalable decentralized systems, citing various passages of *Golubchik* in the process. The Office

Action states that it would have been obvious at the time of the invention to a person having ordinary skill in the art to include a router or proxy server as taught in *Golubchik* into a large scale financial reconciliation system as taught by *CheckFree* because doing so would allegedly help prevent system overloads while improving system efficiency and scalability.

As explained in Applicants' filed specification at page 16 (paragraph [0050]), in conventional implementations of CheckFree's ReconPlus, files are stored in one folder and are accessed from that folder. Indeed, *CheckFree* at page 8 (in the paragraph that starts with "Multi-site operations compound the problem...") describes that in an enterprise-wide environment, accounts must be accumulated, reconciled and reported from a broad range of sources to clarify a total financial picture. Conversely, amended claim 1 recites a file sweeper that is operable to sweep files received at a server to a plurality of other locations for application of the reconciliation software package at the plurality of other locations. Thus, claim 1 is patentably distinguishable over *CheckFree* because claim 1 provides for application of the reconciliation software package at a plurality of locations, as opposed to requiring an accumulation of accounts prior to application of a software reconciliation package. Notwithstanding whether and combination of *Reed*, *Golubchik*, and *CheckFree* is proper, *Reed* and *Golubchik* fail to remedy the deficiencies of *CheckFree* described above. As such, claim 1 is allowable for at least the foregoing reasons.

As discussed above, *CheckFree* teaches away from a file sweeper that is operable to sweep files received at the server to other locations as recited in claim 1 because *CheckFree* describes accumulating accounts for purposes of clarifying a total financial picture, and sweeping those files to other locations would run counter to the accumulation performed in *CheckFree*. More specifically, *CheckFree* accumulates accounts for purposes of performing reconciliation, and thus, there would not have been an apparent reason to subsequently sweep files received at a server to other locations for application of a reconciliation software package at the other locations. Thus, one of skill in the art, starting from *CheckFree*, would not have had an apparent reason to modify *CheckFree* to include the alleged teachings of *Golubchik* to arrive at the above-noted features recited in claim 1, given that *CheckFree* teaches away from such

features. Thus, given that the proposed modification of *CheckFree* is improper, claim 1 is allowable for at least these additional reasons.

The passage relied on by the Office (e.g., the paragraph beginning with “RECON SOLVER automatically guides ...” on page 12 of *CheckFree*) to allegedly demonstrate features related to a file sweeper that is operable to sweep files received at the server to other locations merely describes guiding exceptions identified in ReconPlus to departments within an organization for resolution. Even assuming (without admitting) that the identified exceptions described at page 12 of *CheckFree* can appropriately be analogized to the swept files recited in claim 1, the exceptions are merely the ex-post outcome/result of having applied ReconPlus at a central/accumulating location. Conversely, claim 1 recites that the recited reconciliation software package is applied at the other (swept) locations.

Claim 1 is allowable for at least the foregoing reasons.

Amended independent claim 9 recites:

“... performing financial reconciliation on the data in the first and second files at the predetermined locations, wherein different instances of a system that performs the financial reconciliation operate in conjunction with the files at the predetermined locations. . .”

The above-noted features recited in claim 9 are similar to the features described above with respect to claim 1. As such, claim 9 is allowable for at least reasons substantially similar to those discussed above with respect to claim 1.

Amended independent claim 24 recites features similar to those described above with respect to claim 1. Claim 24 is allowable for at least similar reasons as discussed above with respect to claim 1.

The dependent claims are allowable for at least the same reasons as their respective base claims (e.g., claims 1, 9 and 24), and further in view of the additional features recited therein.

**CONCLUSION**

If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly. All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

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